IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

Daryll A. EMERY et al.

Group Art Unit: 1655

Serial No.:

10/749,602

Examiner:

Patricia A. Leith

Filed:

Docket No.:

293.00010102

December 31, 2003

Confirmation No.: 8548

Title:

IN OVO DELIVERY OF AN IMMUNOGEN CONTAINING IMPLANT

Mail Stop - Appeal Brief - Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting the following documents along with this transmittal sheet:

Appeal Brief (23 pgs).

 $\frac{X}{X}$ $\frac{X}{X}$ Claims Appendix (5 pgs).

Evidence Appendix (1 pg) and copies of 7 documents cited therein.

Related Proceedings Appendix (1 pg).

Appendix of Cited Case Law (1pg) and copy of one document cited therein.

Please charge Deposit Account No. 13-4895 in the amount of \$540 for the required fee. \mathbf{X}

Fee Calculation for Claims Pending After Amendment					
	Pending Claims after Amendment (1)	Claims Paid for Earlier (2)	Number of Additional Claims (1-2)	Cost per Additional Claim	Additional Fees Required
Total Claims				x \$52 =	
Independent Claims				x \$220 =	
One or More New Multiple Dependent Claims Presented? If Yes, Add \$390 Here →					
Total Additional Claim Fees Required					

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895.

MUETING, RAASCH & GEBHARDT, P.A.

Customer Number: 26813

wistallu By: Name: Christopher D. Gram

Reg. No.: 43,643

Direct Dial: 612-305-0412 Facsimile: 612-305-1228

CERTIFICATE UNDER 37 CFR §1.8:

The undersigned hereby certifies that this Transmittal Cover Sheet and the paper(s), as described hereinabove, are being transmitted via the U.S. Patent and Trademark Office electronic filing system in accordance with 37 CFR §1.6(a)(4) to the Patent and Trademark Office addressed to Mail Stop - Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15th day of December, 2009.

Name: Deb Schurmann

(LARGE ENTITY TRANSMITTAL UNDER RULE 1.8)